

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JOHN B. WILSON,

Defendant.

No. 1:19-cr-10080-LTS

**DEFENDANT JOHN WILSON’S MOTION FOR  
RETURN OF FUNDS HELD FOR FORFEITURE**

Defendant John Wilson moves that the Court order the Government to return forthwith \$1,000,000 of Wilson’s money that the Government is holding pursuant to two forfeiture claims that are now moot. It has been holding this money for over four and one-half years.

In support of this motion, Wilson states:

In October and November 2018, the government recruited William “Rick” Singer to carry out an undercover operation as part of its College Admissions case. During his undercover work, Singer persuaded Wilson to forward to Singer two donations of \$500,000 each, \$1 million total. Singer told Wilson that Singer would forward these donations to Stanford University and Harvard University if Wilson’s two daughters decided to apply. If they did not apply, Singer said he would return the donations. They discussed that Singer would not retain any of these funds for himself.

The Government arrested Wilson on a complaint. The Fourth Superseding Indictment (ECF No. 732) was returned on January 14, 2020. At pages 69 to 72 of the Fourth Superseding Indictment, it sought the forfeiture of the \$1 million under two theories. It alleged a money laundering forfeiture under 18 U.S.C. § 982(a)(1) “[u]pon conviction of the offense . . . set forth in Count Three” (money laundering conspiracy charge, 18 U.S.C. § 1956(h)). *See* Fourth

Superseding Indictment, ECF No. 732, at 71. The Government also asserted the right to a civil forfeiture based on the wire fraud and federal programs bribery counts under 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461 “[u]pon conviction of the offenses . . . set forth in Counts One through Two, and Four through Twelve.” *See* Fourth Superseding Indictment, ECF No. 732, at 69.

On August 6, 2021, the Government moved to dismiss Count 3, the money laundering count, rendering the money laundering forfeiture claim moot. ECF No. 2042; *see* ECF No. 2057 (order granting motion). On June 29, 2023, the Government filed its “Notice of Dismissal” (ECF No. 2683). This notice states the Government “hereby dismisses . . . Counts One, Two, Six, Eight, Nine, Eleven and Twelve of the Fourth Superseding Indictment as to John Wilson.” Thus, the Government has dismissed the entire stated basis for the fraud and bribery forfeiture claims against Wilson in the Fourth Superseding Indictment, rendering those forfeiture claims moot as well.

Starting on July 17, 2023, Wilson has sent the Government numerous messages attempting to have a meet and confer on this motion. The Government has refused to respond, will not provide any substantive information on the whereabouts or status of the funds, and will not even acknowledge if it possesses the \$1 million or has a position on the return of the funds. The email exchange is attached as Exhibit A.

The Government has retained Wilson’s money for over four and one-half years. Currently, the value of the lost interest is over \$900 a week. Therefore, Wilson moves that the Court order the Government to return the \$1 million in funds forthwith.

DATED: July 25, 2023

Respectfully submitted:

*Counsel for John Wilson*

/s/ Michael Kendall

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**LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1, undersigned counsel certifies that he attempted to confer with counsel for the government in a good-faith attempt to resolve the issue presented by this motion. As set forth in the motion and Exhibit A, counsel for the government has refused to take a position or provide any substantive response on the issue as of the time of filing of this motion.

/s/ Michael Kendall

Michael Kendall

**CERTIFICATE OF SERVICE**

I hereby certify that the above document is being filed on July 25, 2023 through the ECF system, which will send true copies to all counsel of record.

/s/ Michael Kendall  
Michael Kendall